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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,245	06/23/2003	Len Chan	5306P098	1154

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EXAMINER

MOONEYHAM, JANICE A

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,245

Applicant(s)

CHAN ET AL.

Examiner

Janice A. Mooneyham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the applicant's communication filed on March 14, 2005, wherein:
Claims 1, 3-9, 11-17, 19-24 are currently pending;
Claims 2, 10, and 18 have been cancelled.
Claims 1, 9, and 17 have been amended.

Response to Amendment

Claim Objections

2. Claims 9 and 17 are objected to because of the following informalities: The status identifiers should be "currently amended" not "original". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 3-9, 11-17, and 19-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claims 1, 9 and 17, the applicant has added the language "each criterion corresponding to one or more of the pricing rules." A summary of the invention states that a "price for the requested function space is determined based upon the set of pricing rules and one or more of the criterion".

Furthermore, the applicant has now amended claims 1, 9 and 17 to include the language of canceled claims 2, 10 and 18. However, in the original claim language of claims 2, 9, and 17, the applicant's claim language read "wherein the plurality of criteria includes criteria selected from a group of criteria consisting of date, day-part, current demand and supplementary sales". Applicant now amends the language to read "the set of pricing rules including pricing rules pertaining to date, day-part, current demand, or supplementary sales".

Applicant is requested to point to where the claimed limitations are in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bingham et al (US 2002/0069094) (hereinafter referred to as Bingham) in view of Luxor Hotel and Casino.

Referring to Claims 1, 9, and 17:

Bingham method, machine readable medium for providing instructions which cause the processor to perform the method (page 3 [0025]), and a system (Figs. 1, 2a, 2b, 3) for performing the method comprising:

receiving a request ([0008] *a reservation request is received from a user*) for a function space at a digital processing system, the digital processing system containing an availability information for one or more function spaces at a plurality of remote properties and a set of pricing rules for one or more function spaces, the request including a plurality of criteria, ([0008]

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the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory, or facility reservation rules), (Figure 4 and [0029] meeting facility criteria are received (block 404) from the user via a graphical interface), [0030] a customer profile, a reservation rule, a reservation quota, and meeting facility inventory are retrieved. Thereafter the retrieved reservation rule is applied to determine whether the user input meeting facility criteria satisfy the retrieved reservation rule [0033] a price for the defined meeting package is generated based upon the retrieved customer profile. In one embodiment, customer profile includes a customer type designation such as corporate or government which entitles the designated customer to reduced prices for hotel guest room and other services (pricing rule corresponding to a criterion) [0038] a meeting facility employee may adjust room pricing values such as the corporate room rate and resource availability such as the number or booked or available meeting rooms Fig. 4 (404), (410);

determining an availability of the requested function space based upon the availability information and one or more of the criterion (Fig. 5 (512) *Are the Specified Meeting Facility Resources Available for Reservation?*, page 1 [0008], page 4 [0033]) and

determining a price for the requested function space based upon the set of pricing rules and one or more of the criterion (Fig. 5 (516) *Price the Meeting Package Based on the Customer Profile*; [0008] *the meeting package may be defined or reserved based on various meeting facility criteria input by the user, real time facility inventory data, or facility reservation rules).*

Bingham discloses pricing rules related to length of stay (Figure 11 *Reserve room for more than 7 nights and get 10% off*). Bingham does not explicitly disclose each criterion

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corresponding to one or more of the pricing rules or the set of pricing rules including pricing rules pertaining to date, day-part, current demand or supplementary sales.

However, Luxor Hotel and Casino discloses criterion corresponding to one or more pricing rules and the set of pricing rules including pricing rules pertaining to date (each day has a price listed for that specific day).

Furthermore, the Examiner takes Official Notice that it is old and well known to include pricing rules corresponding to criteria and rules pertaining to date and current demand. For example, a hotel room with a view of the beach costs more per day than one without a view and beach hotels routinely raise their prices on holidays, such as the Fourth of July, while ski resorts may reduce their prices during the summer months to attract tourists.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the pricing rules/criteria of Luxor with the disclosure of Bingham to allow meeting planners to receive the reservation which most matches the planners' criteria, such as dates of the meeting, within a price range or budget that the planner has been allowed.

Referring to Claims 3, 11, and 19:

Bingham discloses a method, medium and system wherein the plurality of remote properties are individual hotels of a hotel chain (Figs. 11-12).

Referring to Claims 4, 12 and 20:

Bingham discloses a method, medium and system further comprising providing the price for the requested function space to a user in real-time (page 1 [0008] – a customer profile associated with the user may be used to determine the *price* of the meeting package or its component resources. The meeting package may be defined or reserved based on various

meeting facility criteria input by the user, *real time* facility inventory data, or facility reservation rules. Fig. 5 [516], page 4 [0033], page 5 [0038].

Referring to Claims 5, 13 and 21:

Bingham discloses method, medium and system further comprising:
receiving an acceptance of the price for the requested function space from the user; and
establishing a reservation for the requested function space (Fig. 4 (416), Fig. 5 (516), Fig. 12 (confirmation number, grand total), page 5 [[0037]]).

Referring to Claims 6, 14 and 22:

Bingham discloses a method, medium and system further comprising receiving a rejection of the price for the requested function space from the user; and
providing alternatives to one or more of the plurality of criteria in real-time (Figs. 4-5, Fig. 11 alternatives are presented with differing prices)

Referring to Claims 7, 15 and 23:

Bingham discloses a method, medium and system wherein establishing a reservation for the requested function space includes allocating a function space of a specified category, the category specified by one or more category related criteria included in the plurality of criteria of the request (Figs. 4-5, page 1 [0008]).

Referring to 8, 16 and 24:

Bingham discloses a method, medium and system wherein the category related criteria include one or more criterion selected from the group consisting of attendance (Fig. 7 (706), event type (customer type Fig. 4) (page 4 [0033]), setup styles (Fig. 9 (906) (Setup Classroom) and area (Fig. 7 (708) (Figs 7-14).

Response to Arguments

Applicant's arguments filed March 14, 2005 have been fully considered but they are not persuasive.

The applicant argues that the *amended* claims 1, 9 and 17 are not anticipated by Bingham. The applicant has amended the claim language considerably. Therefore, the Examiner has provided a new reference to address the newly added claim limitations. Applicant is referred to the discussion in the body of the rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

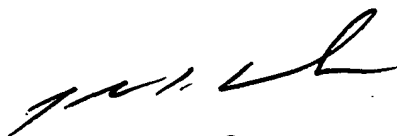
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janice A. Mooneyham whose telephone number is (571) 272-6805. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM



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